

Serial No. 59775

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. FEB 23 1994

Returned to applicant for correction. APR 14 1994

Corrected application filed. Map filed. MAY 02 1994

The applicant. Robert Kim & Diane Bennett

P.O. Box 186 of Fund  
Street and No. or P.O. Box No. City or Town

Nevada 89317 hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 27465, Certificate No. 9711  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

Underground Sources

1. The source of water is. Name of stream, lake, underground spring or other source.

0.436 cfs, 70 acre feet  
2. The amount of water to be changed. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

Irrigation and Domestic  
3. The water to be used for. Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

Irrigation and Domestic  
4. The water heretofore permitted for. Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, T.12N.,  
5. The water is to be diverted at the following point. Describe as being within a 40-acre subdivision of public survey and by course and  
R.62E., M.D.B.&M., whence the West 1/4 Corner of said Section 21 bears  
distance to a section corner. If on unsurveyed land, it should be stated.

N.44°53'58"W., 3,501.67 feet distant.

the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, T.12N.,  
6. The existing permitted point of diversion is located within. If point of diversion is not changed, do not answer.  
R.62E., M.D.B.&M., or at a point from which the West 1/4 Corner of said  
Section 21 bears N.65°04'50"W., a distance of 2,683.83 feet distant.

portions of the S $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 21 and the N $\frac{1}{2}$  NW $\frac{1}{4}$   
7. Proposed place of use. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
of Section 28, all in T.12 N., R.62 E., M.D.B.&M. 17.5 acres

portions of the SW $\frac{1}{4}$  of Section 21, the NW $\frac{1}{4}$  of Section 28  
8. Existing place of use. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
and the NE $\frac{1}{4}$  of Section 29, all in T.12N., R.62E., M.D.B.&M. 107.0 acres  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

April 1 to September 30 of each year.  
9. Use will be from. Month and Day Month and Day

April 1 to September 30 of each year.  
10. Use was permitted from. Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Water will be pumped from well into  
State manner in which water is to be diverted, i.e. diversion structure.

10" underground pipe and then flood irrigated throughout the proposed place  
ditches, pipes and flumes, or drilled well, etc. of use.

\$15,000  
12. Estimated cost of works.

three years  
13. Estimated time required to construct works.

five years

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By s/Richard W. Forman  
Richard W. Forman, Agent  
P.O. Box 150  
Ely, Nevada 89301

Compared cl/nsr cl/bk

Protested.....

APPROVAL  
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 27465 Certificate 9711 is issued subject to the terms and conditions imposed in said Permit 27465 Certificate 9711 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4366 cubic feet per second but not to exceed 70.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before December 4, 1997

Proof of completion of work shall be filed before January 4, 1998

Application of water to beneficial use shall be made on or before December 4, 2000

Proof of the application of water to beneficial use shall be filed on or before January 4, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

**FEB 05 2002**

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. .... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 4th day of December,

A.D. 19 95

R. Michael Turnipseed, P.E.  
 State Engineer